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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 ROBERT CSECH,
11 Plaintiff,

12 vs.

13 JAMES DZURENDA, et al.,
14 Defendants.

Case No. 3:19-cv-00210-MMD-CLB

MOTION FOR EXTENSION OF TIME

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16 Defendant, Isidro Baca, by and through counsel, Aaron D. Ford, Attorney General of the State
17 of Nevada, and Douglas R. Rands, Senior Deputy Attorney General, and by special appearance, (ECF
18 No. 48), hereby requests an extension of time to file the Motion for Summary Judgment which was to
19 be filed on June 21, 2021. (ECF No. 47). This motion is based on the following Memorandum of
20 Points and Authorities, and all papers and pleadings on file herein.

21 **MEMORANDUM OF POINTS AND AUTHORITIES**

22 This is a *pro se* prisoner civil rights action brought by inmate Plaintiff Robert Csech, currently
23 housed at Northern Nevada Correctional Center (NNCC), asserting claims arising under 42 U.S.C. §
24 1983. Plaintiff alleges the following. On April 5, 2019, after a correctional officer strangled Plaintiff,
25 Plaintiff attempted to access medical treatment for “substantial bodily harm.” (Id. 12 at 4.) Plaintiff
26 claims he lost movement in his arm and legs, lost eyesight, and acquired further brain damage. (Id.) That
27 day, a Plaintiff alleges an unnamed sergeant threatened “over and over” to Plaintiff “no more
28 paperwork,” “no more kites,” and “you know what I mean.” (Id. at 4, 12.) Plaintiff alleges Warden Baca

1 was “present” during the threats. (Id. at 4.) Therefore, Plaintiff was unable to seek medical attention “due
2 to threats of medical on April 5, 2019.” (Id. at 4.)

3 This Court an order that Defendant was to file a Motion for Summary Judgment limited to the
4 issue of exhaustion of administrative remedies by June 21, 2021. (ECF No. 47). In preparation of the
5 Motion for Summary Judgment, it became clear that a declaration would be necessary. However, the
6 declarant was not available on to sign the declaration in a timely manner.

7 Counsel for the Defense was scheduled for a trial on the stacked Calendar in front of District
8 Judge Du, to begin on the June 7, 2021 stack. That trial, *Burns v. Cox*, 3:18-cv-00231- MMD-WGC is
9 expected to last 2-3 days. Due to a 2-week criminal trial, which was set for that same stack, it was likely
10 that the *Burns* matter would be bumped. Judge Du offered the week of June 21, 2021 as a firm set. The
11 other trials, in that week’s stack, were set later in the stack. In order to get the *Burns* matter to trial, and
12 at the request of the client, that offer was accepted. However, Counsel has been preparing for the trial,
13 and did not get the Motion for Summary Judgment completed until this weekend. Counsel respectfully
14 requests an additional seven (7) days to file the Motion for Summary Judgment in this matter. This will
15 allow Counsel to finish and file the Motion after the scheduled jury trial.

16 Courts have inherent powers to control their dockets, *see Ready Transp., Inc. v. AAR Mfg,*
17 *Inc.*, 627 F.3d 402, 404 (citations omitted), and to “achieve the orderly and expeditious disposition of
18 cases.” *Chambers v. NASCO, Inc.*, 501 U.S. 32, 43 (1991) “Such power is indispensable to the court’s
19 ability to enforce its orders, manage its docket, and regulate insubordinate [] conduct. Id. (citing
20 *Mazzeo v. Gibbons*, No. 2:08–cv01387–RLH–PAL, 2010 WL 3910072, at *2 (D.Nev.2010)).

21 LR IA 6-1 discusses requests for continuances. The rule states:

22 (a) A motion or stipulation to extend time must state the reasons for the extension
23 requested and must inform the court of all previous extensions of the subject
24 deadline the court granted. (Examples: “This is the first stipulation for extension of
time to file motions.” “This is the third motion to extend time to take discovery.”)

25 This is the first request, and is requested for good cause. Counsel requires the declaration,
26 from a declarant who is not currently available. With trial beginning tomorrow, an additional seven
27 (7) days will allow the parties to properly support this motion. Defendant has no objection to an
28 additional time for Plaintiff to respond to the motion.

1 Therefore, it is requested that the Defendant have an additional 7 days to file his Motion for
2 Summary Judgment, which would then be due on **June 28, 2021**. This would give Mr. Csech until **July**
3 **28, 2021** to file his response, and the Defendant until **August 12, 2021** to file the reply, if any.

4 DATED this 21st day of June, 2021.

5 AARON D. FORD
6 Attorney General

7 By: /s/ Douglas R. Rands
8 DOUGLAS R. RANDS
9 Deputy Attorney General
10 State of Nevada

Attorneys for Defendants

11 IT IS SO ORDERED.

12 Dated: June 21, 2021

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15 UNITED STATES MAGISTRATE JUDGE
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1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of the Office of the Attorney General, State of Nevada, and
3 that on this 21st day of June, 2021, I caused to be served, a true and correct copy of the foregoing,
4 **MOTION FOR EXTENSION OF TIME TO FILE MOTION SUMMARY JUDGEMENT**, by
5 U.S. District Court CM/ECF Electronic Filing on the following:

6 Robert Csech, #51121
Northern Nevada Correctional Center
7 P.O. Box 7000
Carson City, NV 89702
8

9 /s/ Roberta W. Bibee
10 An employee of the
Office of the Attorney General
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